

Appl. No. : 09/820,207
Filed : March 28, 2001

REMARKS

In the paper mailed on January 26, 2005, the Examiner asserted that the new claims presented in the Amendment filed on October 19, 2004 are directed to two distinct inventions, both of which are distinct from the invention that has been elected and examined. Based on this finding, the Examiner concluded that the Amendment was "unintentionally non-responsive," as no claims are left to examine on the merits.

I. Substance of Telephone Interview

On February 3, 2005, Applicants' representative, Ronald Schoenbaum, conducted a telephone interview with Examiner McAllister to discuss the paper mailed on January 26, 2005. During the interview, the Examiner indicated that he would examine one of the two remaining groups of claims (nos. 45-65 or nos. 66-85) on the merits if Applicants respond to the January 26, 2005 action by filing a Request for Examination together with an election of one of the two remaining groups of claims. Applicants understand that the Examiner is treating prosecution of the application as closed under 37 C.F.R. 1.114 for purposes of filing a Request for Continued Examination.

No prior art or art-based issues were discussed during the interview, and no exhibits were presented.

II. Election

In response to the restriction requirement set forth in the January 26, 2005 paper, Applicants hereby elect group III (Claims 66-85) without traverse.

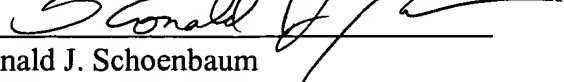
III. Conclusion

In view of the election made herein and the enclosed Request for Continued Examination, Applicants request that Claims 66-85 be examined on the merits.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 
Ronald J. Schoenbaum
Registration No. 38,297
Attorney of Record
Customer No. 20,995
(949) 721-2950